

Exempting police and fire fighters from polygraph tests  
(HB 869 by Tallas/Whitmire)

DIGEST: HB 869 would have forbidden cities with a population of 1.5 million or more (Houston) to fire or discipline a police officer or fire fighter who refused to take a polygraph test. The bill would have repealed current provisions requiring these workers to submit to polygraph tests under certain conditions.

GOVERNOR'S  
REASON  
FOR VETO:

This is a local issue. The prohibition against disciplining a fire fighter or police officer for refusal to take a polygraph examination would apply only to the city of Houston. State government should not interfere in the employment policies of home-rule cities. Current law provides numerous adequate safeguards for the rights of these individuals. The use of this valuable investigative tool should be preserved.

RESPONSE: The governor's veto is unfair, said Rep. Jim Tallas, the author of HB 869. People who accuse police officers and fire fighters do not have to take polygraph tests, but under current law Houston police officers and fire fighters risk being disciplined or fired if they refuse to submit to a polygraph test. "What's good for the goose is good for the gander," Rep. Tallas said. Furthermore, he said, many bills interfere in local affairs. "We do that every day," Rep. Tallas said. "Why the governor chose to veto this bill for that reason leaves me curious."

NOTES: The House Research Organization analysis of HB 869 appeared in the April 27, 1989, Daily Floor Report.